

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:09-00179

ALPHONSO HARPER

MEMORANDUM OPINION AND ORDER

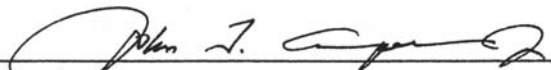
On October 9, 2009, the United States of America appeared by Samuel L. Marsh, Assistant United States Attorney, and the defendant appeared in person and by his counsel, Matthew A. Victor, on the Defendant's Motion for Review of Detention Order. As set forth on the record of the hearing, the court finds by clear and convincing evidence that there are no conditions or combination of conditions of release that will reasonably assure the appearance of the defendant as required herein or the safety of the community, based on (1) the defendant's significant criminal history, (2) the substantial evidence against him with regard to the charges contained in the indictment against him which, if proved, would expose him to a sentence of a minimum of ten years and up to life, and (3) his failure to appear in response to lawful process on prior

occasions. Accordingly, the court denied the defendant's motion for bond. The defendant was remanded to the custody of the United States Marshal.

It is, accordingly, ORDERED that the Defendant's Motion for Review of Detention Order be, and it hereby is, denied.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department and the United States Marshal.

DATED: October 26, 2009



John T. Copenhaver, Jr.
United States District Judge